

R E M A R K S

Claims 3-6, 28-33 and 37-40 have been cancelled. Accordingly, claims 1, 2, 7-27, 34-36 and 41-49 are in the case.

Applicant wishes to thank the Examiner for the indication that claims 9-27, 36 and 42-49 are allowed. Applicant further wishes to thank the Examiner for the courtesy of the telephonic interview of December 16, 2003 wherein the Examiner verified that the art rejection of claim 5 dependent from claim 1 was a typographical error and that the objection to claim 41 as being dependent upon a rejected base claim but otherwise allowable, was also a typographical error because claim 41 was amended to independent form in Applicant's previously filed amendment, Amendment "A", filed June 26, 2003 and received June 30, 2003 at the U.S. PTO. In this regard, Applicant notes that the Interview Summary dated 12-22-03 is slightly in error because it indicates that claim 41 should have been grouped with claims 7, 8, 34 and 41 in paragraph 6 of the present Office Action, which is how claim 41 was actually presented in the present Office Action, with the typographical error complained of. Claim 41 should have been indicated to be allowable based on its amended form in Applicant's previous amendment, Amendment "A".

Claim 9 has been amended to correct a typographical error by replacing the word "diving" in line 7 with the word "dividing".

Claims 7, 8, 34, 35 have been indicated to be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening

claims. Claims 7, 8 and 34 have been so amended. Claim 35 depends from claim 34 and accordingly should also be in allowable form.

Applicant respectfully traverses the rejection of independent claim 1 and its dependent claims 2 and 5 under 35 U.S.C. § 112. The rejection asserts that claim 1 contains subject matter that was not described in the specification in such a way as to reasonably convey to one skilled that the Applicant had possession of the claimed invention. Specifically, the rejection asserts that the second and third doors recited in claim 1, lines 9 and 10 do not control the air flow to both said second and third outlets and cites Applicant's specification page 8, starting at line 12. However, contrary to this assertion, the specification does support all of the structure as recited in claim 1. Specifically, at page 6, line 16 - page 7, line 2, the specification describes the second chamber as having a panel outlet 130 which is surrounded by a panel outlet shoulder 132 and which is further divided into a driver panel outlet 134 and a passenger panel outlet 136, and at page 7, line 15 - page 8, line 2, the specification describes a floor outlet 160 bounded by a floor outlet shoulder portion 162 and which is further divided into a driver floor outlet 164 and a passenger floor outlet 166. Both of the outlets 130 and 160 exhaust a chamber that is controlled by a first door 126, and second and third doors 232, 242. The door 232 controls the air flow to the driver panel outlet 134 which is part of the panel outlet 130 and to the driver floor outlet 164 which is part of the floor outlet 160, and the door 242 controls the air flow to the passenger panel outlet 136 which is part of the panel outlet 130 and to the

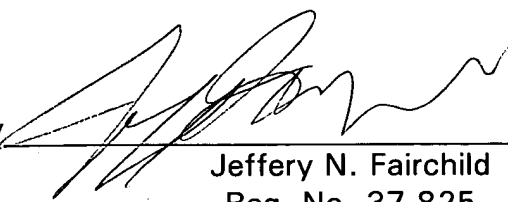
passenger floor outlet 166 which is part of the floor outlet 160. Accordingly, the specification describes first and second doors (232,242) that control the air flow to both second and third outlets (130,160). Thus, contrary to the assertion in the rejection, the specification does clearly convey to one skilled in the art that the Applicant had possession of the claimed invention. Accordingly, the rejection under §112 of claims 1-5 should be withdrawn.

Regardless of the determination on the above question, entry of the amendment should be proper because it reduces the issues on appeal by cancelling all of the claims that had been rejected on prior art and amending into allowable form all of the claims that have been objected to.

In view of the foregoing, Applicant respectfully requests reconsideration of the rejection of claims 1-5 and allowance of the case.

Respectfully submitted,

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